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BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION

Federal Communications Commission
Office of the Secretary

In the Matter of)
)
Implementation of the Pay Telephone) CC Docket No. 96-128
Reclassification and Compensation Provisions)
Of the Telecommunications Act of 1996)

The Illinois Public Telecommunications Association's,)
Petition for A Declaratory Ruling Regarding the Remedies)
Available for Violations of the Commission's Payphone)
Orders)

MOTION OF THE
FLORIDA PUBLIC TELECOMMUNICATIONS ASSOCIATION, INC.
FOR LEAVE TO FILE REPLY COMMENTS SIX DAYS LATE

On behalf of the Florida Public Telecommunications Associations, Inc. ("FPTA"), the undersigned counsel hereby moves for leave to file the Reply Comments of the FPTA in this case six (6) days late.

Reply comments in this case were due on Tuesday, September 7, 2004. Because of Hurricane Frances, many businesses in the state of Florida, including the FPTA and counsel, were shut down from Thursday, September 2, 2004 until the due date. Nonetheless, on September 7, 2004, FPTA attempted to file its Reply Comments by electronic mail (see Exhibit A attached to this motion documenting that effort). Unfortunately, for reasons unknown to FPTA, it appears that the electronic mail system for filing comments did not accept the FPTA's reply comments. Immediately after the due date, the undersigned counsel contacted the FCC to determine if the comments had been accepted and was advised to wait several days to see if those reply comments were posted. As of close of business on Friday, September 10, 2004, those comments had not posted.

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The attached Reply Comments contain no changes from the Reply Comments that the FPTA attempted to file on September 7, 2004 other than the correction of a few minor typographical errors. Accordingly, no party will be prejudiced by acceptance of this late filing.

Accordingly, counsel respectfully requests that the Reply Comments of FPTA be accepted for filing and be considered by the Commission as a part of the record in this proceeding.

Dated: September 13, 2004

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'David S. Tobin', written over a horizontal line.

David S. Tobin

Tobin & Reyes, P.A.
7251 West Palmetto Park Road
Suite 205
Boca Raton, Florida 33433
(561) 620-0656

*Attorney for the Florida Public
Telecommunications Association, Inc.*